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**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DILKHAYOT KASIMOV,</b>	:	<b>NO. 1:24-CV-01352</b>
<b>Petitioner</b>	:	
	:	
<b>v.</b>	:	<b>(Kane, J.)</b>
	:	<b>(Bloom, C.M.J.)</b>
<b>M. ARVIZA, WARDEN, FCI</b>	:	
<b>ALLENWOOD MEDIUM</b>	:	
<b>Respondent</b>	:	<b>Filed Electronically</b>

**OBJECTIONS TO REPORT AND RECOMMENDATION**

Pursuant to Middle District of Pennsylvania Local Rules 72.3 and 72.4, Respondent Warden Arviza objections to the April 8, 2025 Report and Recommendation (the “Report”) as follows:

1. The Report mistakenly recommends that Petitioner Dilkhayot Kasimov’s petition for writ of habeas corpus be granted. *See id.*
2. The Report incorrectly relies on Mr. Kasimov’s post hoc request for a video that is irrelevant to his actions in his cell.
3. Alternatively, a remand is not necessary, as Respondent provides a declaration from the disciplinary hearing officer providing that the Mr. Kasimov never requested a video review and even if he did the video would show nothing exculpatory. *See* 04/29/2025 Declaration of David Lupotsky, DHO (Ex. 1) ¶¶ 14, 23-24.

WHEREFORE, This Court should sustain the objection and deny the instant petition.

Respectfully submitted,

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Dated: May 6, 2025

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**CERTIFICATE OF SERVICE VIA ECF**

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers. That on May 6, 2025, she served a copy of the attached

**OBJECTIONS TO REPORT AND RECOMMENDATION**

by electronic service pursuant to Local Rule 5.7 and Standing Order 04-6, ¶12.2 to the following individual(s):

Kathy Manley, Esquire  
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[Mkathy1296@gmail.com](mailto:Mkathy1296@gmail.com)

The Honorable Daryl F. Bloom  
Chief Magistrate Judge

s/ Maureen Yeager  
Maureen Yeager  
Paralegal Specialist